



Atty. Dkt. No 081356/0154

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kazuo Kobayashi et al.

Title: ENDO- $\beta$ -N-ACETYLGLUCOSAMINIDASE  
GENE

Appl. No.: 09/700,993

Filing Date: 11/22/00

Examiner: Unassigned

Art Unit: Unassigned

**PETITION UNDER 37 CFR 1.42**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Decision on Declaration dated December 5, 2001, Applicants request that the declaration submitted by the legal representative of a deceased co-inventor in the above-identified application in response to the Notification of Missing Requirements dated May 22, 2001 should be acceptable in accordance with 37 C.F.R. 1.42.

At the time this application was filed, Mr. Makoto Takeuchi, one the original co-inventors of this application, was physically unable to execute any documents such as the declaration and power of attorney because he was seriously ill. A short time later, Mr. Takeuchi died.

On July 20, 2001, we submitted the attached declaration and power of attorney in which Mr. Takeuchi's wife, Yoriko Takeuchi, acting in the capacity

as his legal representative, executed the declaration and power of attorney on behalf of your deceased husband.

Accordingly, Applicants resubmit the declaration and power of attorney submitted on July 20, 2001 executed by the deceased inventor's legal representative, and respectfully submit that it satisfies the missing requirement.

Applicants would like to thank Cynthia M. Kratz of the PCT Legal Office for her insightful recommendations to aid applicants attorney to resolve this matter expeditiously.

Respectfully submitted,

Date

4 February 2002

By

S. A. Bent

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